

**CALENDAR ITEM
C57**

A 26
S 12

10/19/12
PRC 3022.9
N. Lavoie

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

Stanislaus County

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Tuolumne River, adjacent to Assessor's Parcel Numbers 017-027-002, -004, -035, and -037, near the city of Grayson, Stanislaus County.

AUTHORIZED USE:

Continued use and maintenance of an existing bridge crossing known as the Shiloh Road Bridge.

LEASE TERM:

25 years, beginning June 27, 2012.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. On June 27, 1963, the Commission authorized a bridge permit to Stanislaus County for the construction, operation, and maintenance of a two-lane concrete bridge crossing the Tuolumne River. This permit expired June 26, 2012. The Applicant has applied for a new General Lease – Public Agency Use.
3. The Shiloh Road Bridge (No. 38C-0018) was built in 1965 and connects farms north of the Tuolumne River and the Modesto metropolitan area to farms south of the Tuolumne River and the city of Grayson. On

CALENDAR ITEM NO. **C57** (CONT'D)

August 11, 2011, the bridge was inspected by the California Department of Transportation (Caltrans). No work recommendations were made by the Caltrans.

4. The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to Stanislaus County, beginning June 27, 2012, for a term of 25 years, for the continued use and maintenance of an existing bridge known as the Shiloh Road Bridge as described in Exhibit A and shown on Exhibit B (for reference

CALENDAR ITEM NO. **C57** (CONT'D)

purposes only) attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right at any time to set a monetary rent as specified in the lease if the Commission finds such action to be in the State's best interest.

EXHIBIT A

PRC 3022.9

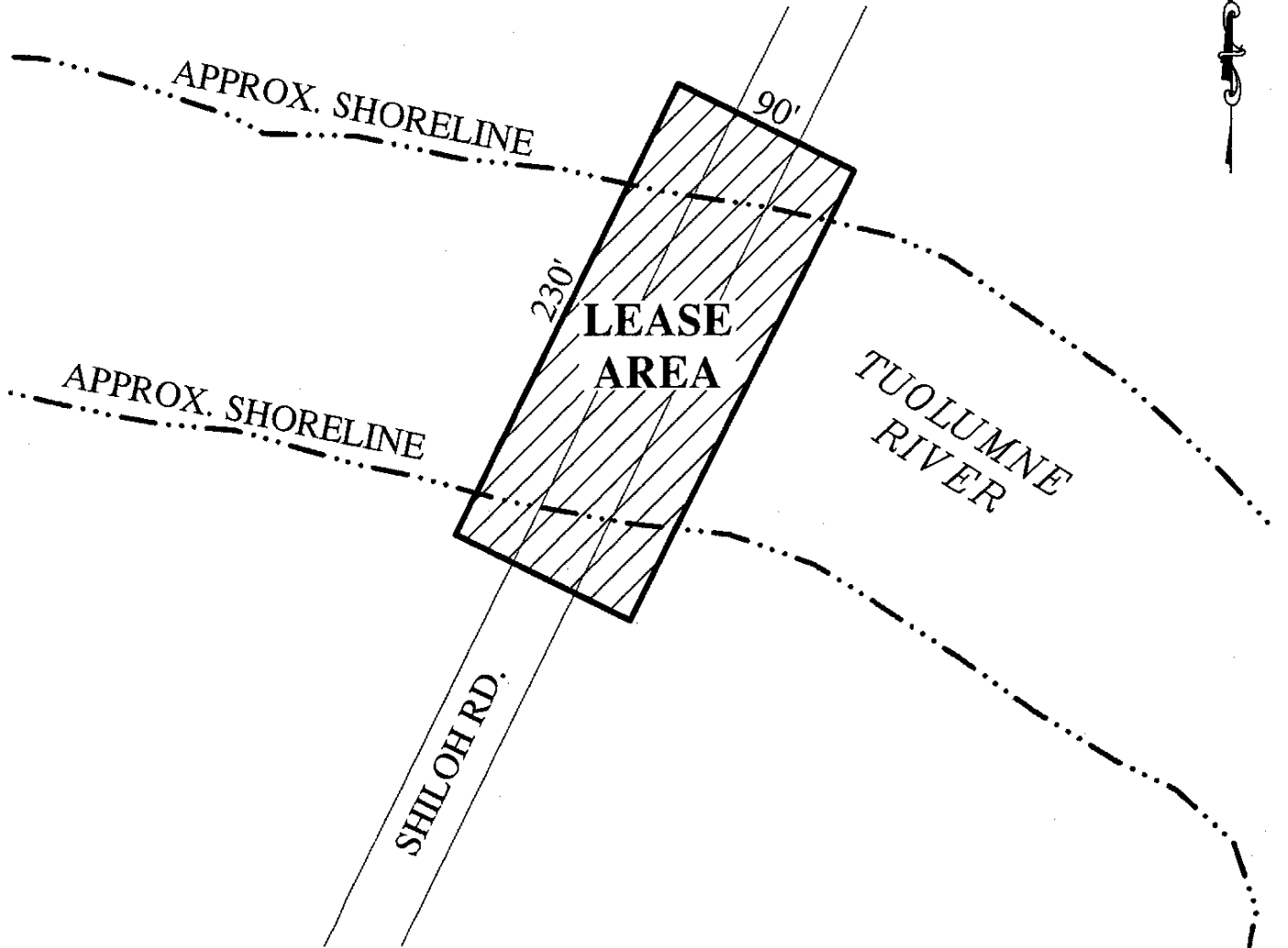
LAND DESCRIPTION

A STRIP OF LAND IN THE BED OF THE TUOLUMNE RIVER IN SECTION 7, T. 4 S., R. 8 E., M.D.B. & M., STANISLAUS COUNTY, LOCATED ABOUT 6 MILES WEST OF THE CITY OF MODESTO, SAID STRIP OF LAND BEING 45 FEET ON EACH SIDE OF THE FOLLOWING-DESCRIBED CENTERLINE:

BEGINNING AT A POINT ON THE LOW WATER MARK OF THE RIGHT BANK OF THE TUOLUMNE RIVER WHICH BEARS S. 89° 56' E. 25 FEET, S. 0° 16' W. 1,677.24 FEET AND S. 26° 12' W. 411 FEET MORE OR LESS FROM THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE FROM SAID POINT OF BEGINNING S. 26° 12' W. 230 FEET TO A POINT ON THE LOW WATER MARK ON THE LEFT BANK OF THE TUOLUMNE RIVER, SAID PARCEL CONTAINING 0.48 ACRE MORE OR LESS.

NO SCALE

SITE



Shiloh Rd. Bridge, 4 miles NE of Grayson

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 3022.9
 STANISLAUS COUNTY
 GENERAL LEASE -
 PUBLIC AGENCY USE
 STANISLAUS COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

MJF 3/14/12